February 10, 2020

California Community Colleges Board of Governors
1102 Q Street
Sacramento, CA  95811

Subject: Academic Senate for California Community Colleges Response to Nonduplication Analysis

Dear President Epstein and Members of the Board:

The Chancellor’s Office January 10, 2020 nonduplication analysis does not address the ASCCC’s primary assertion in our October 7, 2019 letter to the Legislature: All three of the programs that Calbright is offering, per the California Code of Regulations Title 5 §55000(m) definition of program, are already offered by existing, accredited California Community Colleges. The programs are duplicative in content, which is a direct violation of California Education Code §75001(d)(1). In some respects, as the Chancellor’s Office January 10 memorandum grants, even the method of delivery that Calbright has employed is duplicative of existing methods of delivery within our system, which also contradicts the guidance provided by the Legislature in California Education Code §75001(f)(1).

Despite the Chancellor’s Office’s detailed explanation of some subtle differences in method of delivery, those minor differences in delivery do not fundamentally or significantly change the instruction or the programs. The fact remains that the programs themselves are already offered at existing California Community Colleges. The $100 million-dollar enterprise has greater resources to explore, given how its funding differs from that of the rest of the system. Calbright’s choice to move forward with the three programs places Calbright in a position of unfair competition with other colleges in the California Community Colleges system, which are still required to abide by existing regulation and statute.

Please do not hesitate to reach out if you have any questions.

Respectfully,

John Stanskas, President

Cc: Honorable Anthony Rendon, Speaker of the Assembly
     Honorable Jose Medina, Chair, Assembly Higher Education Committee
     Honorable Toni Atkins, Senate President Pro Tempore
     Honorable Holly Mitchell, Chair, Senate Budget Committee
     Honorable Connie Leyva, Chair, Senate Education Committee
     Honorable Phil Ting, Chair, Assembly Budget Committee
     Joey Freeman, Chief Deputy Legislative Affairs Secretary for Policy
     Chris Ferguson, Department of Finance
     Paul Steenhausen, Legislative Analyst’s Office
     Monica Henestroza, Special Assistant to Assemblymember Rendon
     Jeanice Warden, Chief Consultant, Assembly Committee on Higher Education
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Anita Lee, Consultant, Senate Budget and Fiscal Review Committee
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